



**CITY OF SCOTTSDALE
McDOWELL SONORAN PRESERVE COMMISSION
REGULAR MEETING**

October 4, 2012

**Via Linda Senior Center
10440 E. Via Linda Road
Scottsdale, AZ 85258
SUMMARIZED MINUTES**

PRESENT: James Heitel, Chairman
Fred Klein, Vice Chairman
Susan Wheeler, Commissioner
Robert Frost, Commissioner
Con Englehorn, Commissioner
Mike Milillo, Commissioner

ABSENT: Marg Nelssen, Commissioner

STAFF: Bill Murphy
Kroy Ekblaw
Scott Hamilton
Claire Miller
Robbin Schweitzer
Liz Hildenbrand
Lee Guillory
Joe Padilla
Luis Santaella
Yvonne Massman

GUESTS:

Mike Nolan	Curtis Herbert
David Hay	Darren Julian
Mike Mayer	Beth Duckett
Jennifer Mayer	Joseph Berardi
John Kolsezar	Evan Fretz
Dustin Darveau	Dina Marino

1. CALL TO ORDER

Chairman Heitel called the meeting to order at 5:06 p.m.

2. ROLL CALL

Members present as noted above.

3. PUBLIC COMMENT

No members of the public wished to comment on non-agendized items.

4. APPROVAL OF MINUTES

Approval of the Regular Meeting minutes of September 6, 2012

COMMISSIONER FROST MOVED TO APPROVE THE SEPTEMBER 6, 2012, MCDOWELL SONORAN PRESERVE COMMISSION REGULAR MEETING MINUTES. COMMISSIONER MILILLO SECONDED THE MOTION, WHICH CARRIED SIX (6) TO ZERO (0).

5. MCDOWELL SONORAN CONSERVANCY UPDATE

Mr. Nolan reviewed the activities of the stewards, noting that October is the beginning of season for Pathfinders and steward programs including the first Trails Naturalist Program, which will take place at the Gateway. Mr. Nolan said that installation of the geology signage at Tom's Thumb Trail will be completed in time for the grand opening.

6. BOW HUNTING UPDATE

Mr. Ekblaw gave an overview of the options available to the Commission regarding forwarding a recommendation to City Council. He noted that Arizona Game and Fish plans to conduct an aerial survey of large wildlife during the winter months. Working together with the Conservancy, the City is prepared to assist with funding of annual surveys of large game wild life as necessary, subject to the availability of Game and Fish manpower. The Commission discussed the benefits of having annual wildlife surveys. Mr. Ekblaw reiterated that under Title 17, Arizona Game and Fish has authority over all wildlife within the state of Arizona and the City of Scottsdale does not have the ability to establish or change rules regarding hunting in the Preserve without approval of Arizona Game and Fish. The City does have the ability to make comments and recommendations regarding hunting to the Arizona Game and Fish Commission.

Options for hunting recommendations that the Commission could make to City Council include:

- Recommending that staff work with Arizona Game and Fish Department to clarify the current condition.
- Recommending that a temporary closure be implemented until additional wildlife population data can be gathered.
- Recommending establishment of a defined boundary in which hunting can occur, which is more restrictive than the current regulations.
- Recommending permanent closure to all hunting activity within the Preserve.

Tim Holt, Field Supervisor for the Arizona Game and Fish Department, made himself available to answer questions posed by the Commission. The discussion included an explanation of types of surveys that are available, steps that could be taken by Game and Fish if surveys reveal a decline in wildlife populations, and the effects of wildlife overpopulation. Mr. Holt noted that the most recent survey conducted in 2006 will not be used as a trend because it has been too long, but will be used as a point in time and the new surveys will be conducted annually so that a trend can be established.

Commissioners were given the opportunity to make comments and express concerns. Comments focused on the past public survey about desired use of the Preserve, conflicts between the current condition and the Ordinance, conflicts in the Game and Fish pamphlet (which were later clarified to have been corrected), and removal of game from the preserve, including reptile collecting.

Chair Heitel opened public testimony.

The following individuals spoke in support of continuing to allow Bow Hunting in the Preserve:

- Joseph Berardi
- Jeremy Pfeiffer
- John Koleszar

The following individuals spoke in opposition to allowing hunting in the Preserve:

- Mike Mayer
- Donna Marino

Commissioners further discussed the options for recommendation to City Council.

Joe Padilla, Assistant City Attorney, explained the process that would be required if a recommendation necessitated a change to the Ordinance.

VICE-CHAIR KLEIN MOVED TO RECOMMEND TEMPORARY CLOSURE TO HUNTING IN THE PRESERVE UNTIL ADDITIONAL WILDLIFE POPULATION DATA CAN BE GATHERED. COMMISSIONER MILILLO SECONDED THE MOTION.

Commissioners posed clarifying questions to Mr. Holt and made additional comments about the practicality of a temporary closure, due to the length of time it would take to gather accurate data, safety, and the current regulation process.

THE MOTION FAILED TWO (2) TO FOUR (4), WITH CHAIRMAN HEITEL, COMMISSIONER FROST, COMMISSIONER WHEELER, AND COMMISSIONER ENGLEHORN DISSENTING.

Further discussion ensued regarding setting precedence, postponing the discussion until a trend could be established through surveys, and reptile collecting.

VICE-CHAIR KLEIN MOVED TO RECOMMEND ELIMINATING REPTILE COLLECTING FROM THE ORDINANCE. THE MOTION DIED FOR LACK OF A SECOND.

Mr. Ekblaw reiterated the City's commitment to assisting with funding of annual wildlife surveys.

COMMISSIONER FROST MOVED TO RECOMMEND THAT COUNCIL ENCOURAGE STAFF TO WORK FINANCIALLY AND IN ANY OTHER WAY POSSIBLE WITH THE MCDOWELL SONORAN CONSERVANCY AND ARIZONA GAME AND FISH DEPARTMENT TO ENSURE THAT ANNUAL WILDLIFE STUDIES ARE PERFORMED IN THE PRESERVE. SECONDED BY COMMISSIONER MILILLO, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

7. NORTH AREA POLICIES DISCUSSION

- Trailheads - Access Areas
- Trail Use

Item 7 was discussed following Item 8.

8. LAND ACQUISITION AND FINANCIAL UPDATE

Lee Guillory presented a financial update, reviewing the historical debt service and the current outstanding debt service, tax collections, and revenue trends and projections. The current carryover is \$20 million with more projected in future years.

Commissioners were given the opportunity to ask questions.

Mr. Ekblaw gave the land acquisition update, noting that the State Parks matching grant award is for \$16 million and the auction is set for the day before Thanksgiving. He is scheduled to go before Council for authorization to spend the dollars on October 16th and Executive Session to receive bidding instructions on November 14th.

7. NORTH AREA POLICIES DISCUSSION

- Trailheads - Access Areas

Mr. Hamilton said that the majority of the public comments from the April open house were addressed as part of the plan. The two primary issues that still need to be addressed are trailheads in and around the north area and allowable uses. Three access points were suggested during the public process: Area 1 - the vicinity of Pima Road, north of Dynamite Blvd.; Area 2 - the vicinity of Stagecoach Pass, east of Pima Road; and Area 3 - the vicinity of 136th Street and the Dove Valley alignment.

Discussion ensued regarding the suggested public access points.

COMMISSIONER FROST MOVED TO DIRECT STAFF TO ANALYZE AREA 2 AND AREA 3 FOR POTENTIAL USES AS ADDITIONAL TRAILHEADS IN THE MASTER

PLAN. CHAIR HEITEL SECONDED THE MOTION, WHICH CARRIED SIX (6) TO ZERO (0).

Commissioners discussed the necessity of the 11 access points into the Preserve currently along the northern edge. Mr. Ekblaw explained that these are not trailheads with parking, rather they are small access points and noted that staff's intention is to install step gates with the intention of limiting access to pedestrians and equestrians and making it more difficult for motorized vehicles to access the Preserve. Commissioners concurred that residents should be encouraged to self-police where it concerns motorized vehicles along the eastern corridor of the Preserve.

- **Trail Use**

It was the consensus of the Commission to agendize the trail use discussion for the November meeting.

9. FUTURE ACQUISITION PRIORITIES

It was the consensus of the Commission to agendize discussion on future acquisition priorities for a future meeting.

10. STAFF REPORTS

Mr. Ekblaw shared a photograph of the partially completed fence line with maintenance vehicle and pedestrian/equestrian step gate located in the Scottsdale Road corridor near Rawhide Wash and Dixileta. The project is expected to be completed by the weekend.

- **Construction**

- **Tom's Thumb**

Mr. Hamilton said that the parking lot is complete, the restrooms are close to completion, and signage is being installed on the building and along Marcus Landslide Trail Pass. The grand opening is scheduled for October 18th at 7:30 a.m. during the Mayor and Council breakfast.

- **Brown's Ranch**

Mr. Hamilton noted that grading is completed, the waterline has been run up to the building, and excavation of footers has begun.

- **North Area Trails**

Mr. Hamilton said that job orders for the first phase of the trails project have been issued and the second phase is planned for implementation in December or January.

- **Commercial Fees & Budget Opportunities**

Mr. Murphy, in response to a question posed during a prior meeting, said that approximately \$6,000 in commercial fees has been collected during the last year. At this

point in time it has been determined not to form a special revenue account specifically for the Preserve and to place the fees into the General Fund. Once acquisitions slow down, the commercial uses can be reassessed and the possibility of establishing a special revenue account can be reconsidered.

- **Other**

11. COMMISSIONER COMMENTS

There were no Commissioner comments.

12. AGENDA ITEMS FOR NOVEMBER 1, 2012

- **Future Land Cost Benefit Study Process - November**
- **Tour - November**
- **Scottsdale Leadership Principles for Civil Dialogue Initiative**

13. ADJOURNMENT

The meeting adjourned at 7:10 p.m.

Respectfully submitted,
A/V Tronics, Inc. DBA AVTranz.